Meeting of 2003-8-21 Special Meeting

## **MINUTES** LAWTON CITY COUNCIL SPECIAL MEETING AUGUST 21, 2003 - 6:00 P.M. WAYNE GILLEY CITY HALL COUNCIL CHAMBERS

## MEETING CALLED TO ORDER

ROLL CALL

The meeting was called to order at 6:00 p.m. by Mayor Powell. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

Mayor Cecil E. Powell, Also Present:

Presiding Larry Mitchell, City Manager

John Vincent, City Attorney Kathy Fanning, Acting City Clerk

ROLL CALL Randy Bass, Ward One

James Hanna, Ward Two PRESENT:

Glenn Devine, Ward Three

Amy Ewing-Holmstrom, Ward Four

Robert Shanklin. Ward Five Stanley Haywood, Ward Seven

Randy Warren, Ward Eight

ABSENT: Jeffrey Patton, Ward Six

MOTION by Hanna, SECOND by Warren, to adjourn into executive session.

Devine asked if both items would be discussed in executive session. He said he did not think Council could legally discuss anything other than personnel and lawsuits. He asked if we were going to file lawsuits on these structures.

Vincent said the potential is there, we are in the middle of investigation and that s why we feel it fits the criteria for going into executive session to discuss the investigation and potential litigation.

Devine said when this was originally discussed, we were not going to force these people to do this and we weren t going to shove this down their throats.

Vincent said Council does not have to go into executive session if they don t want to.

Bass said he agended the item because he doesn't understand if you have broken glass on commercial structures, is some of that Grand fathered in where they don't have to put safety glass back into the buildings? He said he thinks some guidelines are needed on what is to be done, as far as the buildings being focused on.

Devine said he agrees and thinks they need to be cleaned up and straightened up, but it was said we were going to work with these people and see what we can get done. He said he has talked with some people in his Ward and one on Cache Road, which isn t in his Ward, who is remodeling and fixing it up their property real nice, because he went to the owner and talked to him about it. He said he asked for a committee to be formed where Council members would go out and talk to some of these property owners and try to make them aware and show them we are willing to try to help them and see if we could get some funds to help those who can t afford it. He said some property owners can afford to fix these up and they are just sitting there and letting it go and not doing what they should be doing. He said we need to be friendly and here we are trying to shove this down their throats. He said this doesn't need to be discussed in executive session; if we have something to say about these people, we need to say it out here where they can hear it.

Bass said he didn t think Council was trying to shove anything down anyone s throat.

Devine said we are getting ready to file a lawsuit, the City Attorney just said we are.

Bass said it s either a lawsuit or a fine. He said we are going to fine them for not bringing their buildings up to code. He said we are looking for direction on what Neighborhood Services can ask them to do legally.

Devine asked, We don't have the code that tells them what they can do, what we can and cannot do?

Vincent said he thinks that s not the direction we are asking.

Powell asked if we were going into executive session on this or not. He said if we re not, we ll talk about it out here. He asked for a vote on the motion at this time.

Shanklin read a letter from Tony Pokorney, President of the Chamber of Commerce. He read the letter stating the beautification of Lawton/Ft. Sill will not happen overnight, it will take years. It stated City Council will be criticized and many property owners who have little, or no regard for the future of Lawton, will cry loud. The letter urged the City Council to stay the course and the Chamber supports them.

VOTE ON MOTION HELD: AYE: Hanna, Shanklin, Haywood, Warren, Bass. NAY: Devine, Ewing-Holmstrom. MOTION CARRIED

Council adjourned into executive session at 6:05 p.m.

Council reconvened from executive session at 6:37 p.m. with a motion, second, and roll call with all present, except Patton and Ewing-Holmstrom who left during executive session at 6:10 p.m.

## **BUSINESS ITEMS/EXECUTIVE SESSION:**

1. Pursuant to Section 307B.3 and 307D, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the acquisition of property which is needed for the  $34^{th}$  Street Drainage Project, and if necessary, take appropriate action in open session.

Vincent read the title of Item 1 as shown above. He said Council convened in executive session and after discussion, staff recommends a motion to approve a contract with the Osbornes, for acquisition of property needed for the 34 <sup>th</sup> Street Drainage Project.

MOTION by Shanklin, SECOND by Hanna, to approve a contract paying the Osbornes, \$93,000 for their property and allow them to keep any fixtures listed in the contract. AYE: Shanklin, Haywood, Warren, Bass, Hanna, Devine. NAY: None. MOTION CARRIED.

2. Pursuant to Section 307B.4, Title 25, Oklahoma Statues, consider convening in executive session to discuss the pending investigation of commercial properties identified as being dilapidated together with the courses of action, including litigation, available to enforce the property maintenance code. If necessary, take appropriate action in open session. Exhibits: None.

Vincent read the title of Item 2 as shown above. He said Council convened in executive session and after discussion, no action is required at this time.

Powell said Mitchell and Vincent need a Council meeting on September 4  $^{\rm th}$  and asked if Council would prefer 9:00 a.m. or 6:00 p.m.

Shanklin asked what this was for.

Powell said it s a Special Meeting on Police that s needed.

Shanklin asked what the issue would be.

Vincent said on the arbitration award.

Powell said Vincent will poll everyone and see what time Council wants this meeting and who s going to be there and will set the meeting accordingly.

ADJOURNMENT: There being no further business to consider, the meeting adjourned at 6:35 p.m. upon motion, second and roll call vote.